

**Listing of Claims:**

**Claims 1-10 (cancelled)**

**Claim 11 (currently amended)** A method for collecting vehicular road use fees comprising:

(a) attaching a number of unique vehicle identifier identifiers comprising a bar code to a vehicle;

(b) reading said ~~vehiele~~ vehicle's identifier with a at least one vehicle code reader to retrieve information about said vehicle;

(c) communicating said information to a central agency; and

(d) processing said information in said central agency;

wherein said ~~vehiele~~ bar code reader is a stationary-fixed or mobile scanning device and wherein said central agency issues said vehicle bar code identifier.

**Claim 12 (cancelled)**

**Claim 13 (amended)** The method for collecting vehicular road use fees of claim ~~12~~ 11 wherein said bar code contains a singular and unique VIN number of said vehicle.

**Claim 14 (amended)** The method for collecting vehicular road use fees of claim 11 wherein said central agency charges ~~an-established~~ the established account of said vehicle to assess road use related fees.

**Claim 15** (previously added) The method for collecting vehicular road use fees of claim 14 wherein said road use related fees comprise toll fees, fines, and parking fees.

**Claim 16** (previously added) The method for collecting vehicular road use fees of claim 11 wherein said mobile scanning device is hand held or transported via a manned scooter.

**Claim 17** (previously added) The method for collecting vehicular road use fees of claim 11 wherein said central agency is in a fixed location.

**Claim 18** (amended) An apparatus for collecting vehicle road use related fees comprising:

- (a) a vehicle identifier comprising a bar code attached to a vehicle;
  - (b) a vehicle code reader for collecting and retrieving information ~~contained~~ in pertaining to said ~~vehiele~~ vehicle's identifier; and
  - (c) a central agency for processing said information;
- wherein said vehicle bar code reader is a stationary-fixed or mobile scanning device and wherein said central agency issues said vehicle identifier.

**Claim 19** (cancelled)

**Claim 20** (currently amended) The apparatus for collecting vehicle road use related fees of claim ~~19~~ 18 wherein said bar code contains a VIN number of said vehicle.

**Claim 21** (previously added) The apparatus for collecting vehicular road use fees of claim 18 wherein said central agency charges an established account of said vehicle to assess road use related fees.

**Claim 22** (previously added) The apparatus for collecting vehicular road use fees of claim 21 wherein said road use related fees comprise toll fees, fines, and parking fees.

**Claim 23** (previously added) The apparatus for collecting vehicular road use fees of claim 18 wherein said mobile scanning device is transported via a manned scooter.

**Claim 24** (previously added) The apparatus for collecting vehicular road use fees of claim 18 wherein said central agency is in a fixed location.

**Claim 25** (previously added) The method for collecting vehicular road use fees of claim 11 wherein said information processed comprises the vehicle title, insurance, driver licenses, inspection, or emissions.

**Claim 26** (previously added) The apparatus for collecting vehicular road use fees of claim 18 wherein said information comprises vehicle title, insurance, driver licenses, inspection, or emissions.

## **REMARKS**

Reconsideration of this application is requested in view of the amendments to the claims and the remarks presented herein.

The claims in the application are claims 11 and 13 to 26, all other claims having been cancelled.

All of the claims are rejected under 35 USC 103 as being obvious over the Urbish et al patent taken in view of the Slavin et al patent and the Leitner et al patent. The Examiner states that Urbish teaches a method of eliminating the toll booth by a plurality of labels 15 attached in a variety of different locations on the vehicle and the label contains information of a fixed nature such as the vehicle ID number in a coded form and bar codes have been found to be the label which is most machine readable and the Examiner concedes that Urbish lacks the specific teaching of establishing an account with the identification code at a central agency and transferring data containing the identification code from the reader to the central agency. Slavin et al is recited to show an account corresponding to a transponder 30 and a unique tag for charging tolls. The Examiner concedes that Urbish et al and Slavin et al lack the teaching of moving readers and cites Leitner et al for teaching portable readers for use by police or traffic official to scan a code that has been attached to a vehicle. With respect to Applicant's arguments,

the Examiner stated that the Slavin et al patent does not teach that the toll collection account is established at the time the vehicle identifier is purchased at a retail store and submits that the customer service center 72 maintains a transponder inventory 74 and that the CSC issues the transponder indirectly, first to the vendor and then to the purchaser of the transponder.

Applicant respectfully traverses this ground of rejection since the Examiner, with the benefit of Applicant's disclosure, has combined the prior art whereas one skilled in the art would not do so. Moreover, it is not deemed that one skilled in the art would make the combination without the benefit of Applicant's teaching. As pointed out previously, Applicant's system relates to a method of collecting road use fees by attaching a vehicle identifier comprising a bar code to the vehicle, reading the vehicle identifier with a vehicle code reader to retrieve information about the vehicle, communicating the information to a central agency and processing the said information in the said central agency wherein the vehicle code reader is a fixed or mobile scanning device wherein the central agency issues the vehicle identifier and this is in no way taught by the prior art.

The road use fee information collection is accomplished by bar code readers, stationary or fixed, that scan a vehicle's barcode ID and send the information to a central agency, where in a logical fashion, it is processed for fees and stored as data made available to and retrievable by police vehicle bar code readers. The vehicle bar code

identifier comprises the various information relative to road use fees, tolls collected or owing, parking fees, driver licenses, compliance with in-force vehicle insurance and emission testing. The central agency which issued the programmed identifiers to all vehicles engaged in road use, has the ability of programming the vehicle identifier record and processes the retrieved information, each month charging credit card accounts or billing by post all those vehicles to which it issued vehicle identifiers to correlate with the system of processing road use fees. The agency is empowered, with the aid of the police, to restrict a vehicle from road use and if road use fees are not paid.

The Urbish et al patent does not teach Applicant's invention and has vehicle identifiers attached to various portions of the vehicle but is also a light readable indicia 35 which is embedded in the window and the indicia must be transparent to visible light and must be reflective of infra-red or ultra-violet light to make it generally invisible to the unaided human eye but capable of reflecting infra-red or ultra-violet light. These are two separate functions performed by two separate indicators and does not have Applicant's single vehicle identifier with a bar code containing the necessary information. Moreover, it does not teach that there is a central agency which both issues the vehicle identifier and collects the information from the vehicle.


One skilled in the art would not combine the Slavin et al patent with the Urbish et al patent without the benefit of Applicant's teachings. Moreover, even if one did combine the prior art, it does not have Applicant's novel method. The Slavin et al patent

teaches a tag vendor selling to a retail establishment as indicated in column 3, lines 10 to 19. Moreover, the transponder has a predetermined toll balance such as \$25.00 and is then sold and then, the retail customer who buys the transponders has to establish a new account with the agency collecting the information. The Slavin et al patent clearly indicates that his information differs from the conventional approach in which a customer must obtain a transponder from a special institution such as a toll collection agency. Therefore, it is clear that it is not directed to Applicant's invention.

The Leitner et al patent also does not overcome the deficiencies of the primary and secondary references. This is directed to a method for vehicle identification wherein a vehicle code is read by law enforcement officials using a vehicle scanner and the retrieved information is compared to visual characteristics of the vehicle observed by the law enforcement official. Moreover, the owner of the vehicle must provide a PIN to correspond to the PIN stored in the vehicle code. Leitner et al teaches that the information obtained from the vehicle identifier is processed by the law enforcement officials and not by a central agency which is contrast to Applicant's claims which require that the same entity issues the vehicle identifier and processes the retrieved information. The various references wish to obtain different results from each other and one skilled in the art would not combine them to obtain Applicant's advantages. Therefore, the prior art does not teach Applicant's invention and withdrawal of this ground of rejection is requested.

In view of the amendments to the claims and the above remarks, it is believed that the claims clearly point out Applicant's patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,  
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Enclosure